



August 28, 2015

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: Connect America Fund, WC Docket No. 10-90  
Comments on preliminary determination of Rate-of-Return study areas  
100 percent overlapped by unsubsidized competitors

On July 29, 2015 the Wireline Competition Bureau (Bureau) released its preliminary determination of rate-of-return study areas that are 100 percent overlapped by an unsubsidized competitor.<sup>1</sup> The Bureau also released a list, for informational purposes, of study areas with an overlap of greater than 99 percent, but less than 100 percent. Commenters were invited to “provide any relevant information about whether these study areas are in fact 100 percent overlapped.”<sup>2</sup> Vantage Point Solutions, a consultant of Yeoman Telephone (Yeoman), responds to the Bureau’s invitation with these comments.

## **I. Background**

The Federal Communications Commission (Commission) adopted a rule in its 2011 *Transformation Order* eliminating high-cost support in study areas where unsubsidized competitors offer qualifying voice and broadband services throughout the study area.<sup>3</sup> In its December 2014 CAF Order, the Commission increased minimum speed standards for carriers receiving high-cost support to 10 Mbps downstream and 1 Mbps upstream (10/1).<sup>4</sup>

Last month the Bureau identified 11 rate-of-return RLECs, including Yeoman, whose study areas had been preliminarily determined to be greater than 99 percent and less than 100

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<sup>1</sup> Public Notice, DA 15-868, July 29, 2015.

<sup>2</sup> Ibid, ¶17.

<sup>3</sup> *USF/ICC Transformation Order*, 76 FR 73830, November 29, 2011.

<sup>4</sup> Connect America Fund Final Rule, 80 FR 4446, January 27, 2015.

percent covered by unsubsidized competitors.<sup>5</sup> If the Commission were to determine Yeoman was instead 100 percent overlapped, the company would begin a step down of its high cost support.

## **II. Coverage of Unsubsidized Competitors**

The Bureau's July 29 public notice listed two unsubsidized competitors, Comcast and TransWorld, whose coverage allegedly combines to cover more than 99 percent of Yeoman's study area with qualifying voice and broadband service. Vantage Point disputes that the companies combine to cover 99 percent of the Yeoman study area, but agrees the companies do not provide qualifying service throughout Yeoman's study area. Information from the Indiana Broadband Map also indicates the companies do not offer qualifying service in 100 percent of the study area.

The Indiana Broadband Map is a project of the Indiana Office of Technology (IOT). The IOT collects up-to-date and current data "regarding the availability of broadband services, the technology used to provide service, the speed of the service, and the location of certain broadband infrastructure." The current version of the IOT's Indiana Broadband Map<sup>6</sup> contains data from 2014. The Bureau's July 29 public notice noted their preliminary determination was based upon Form 477 data "as of December 31, 2014," or roughly the same timeframe.<sup>7</sup>

The Indiana Broadband Map displays a map of coverage for each telecommunications provider. The screenshot below indicates the coverage for TransWorld (covered areas appear blue) under the following system filters:

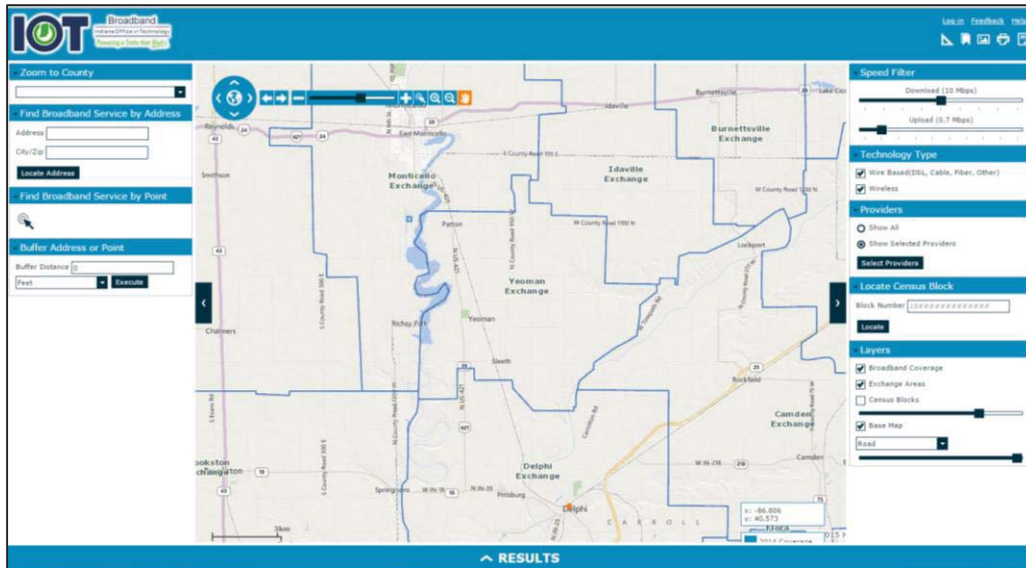
- 10 Mbps download
- .7 Mbps upload (1 Mbps was not a filter option)
- Yeoman Exchange Area

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<sup>5</sup> Public Notice, DA 15-868, July 29, 2015.

<sup>6</sup> Accessible at [www.indianabroadbandmap.com](http://www.indianabroadbandmap.com).

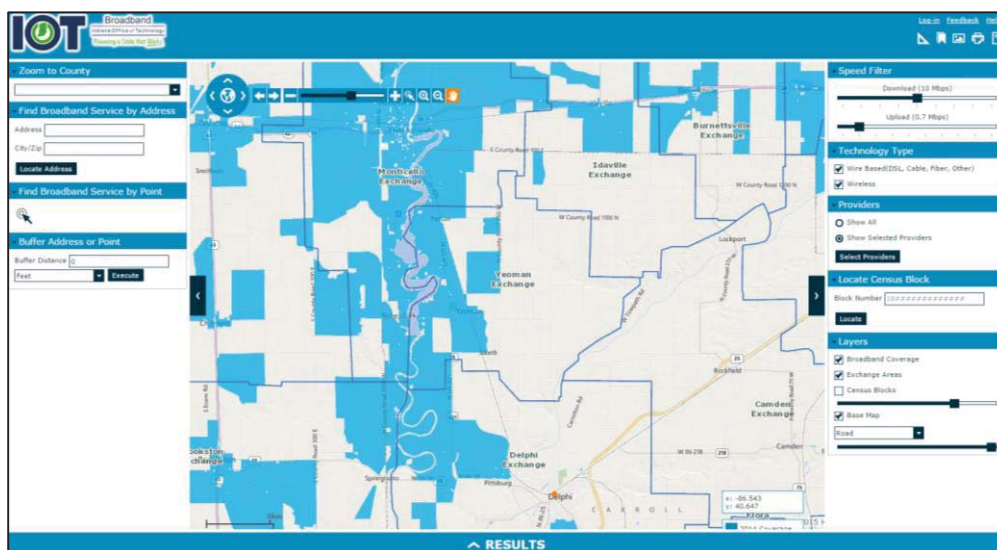
<sup>7</sup> ¶ 11 of the Public Notice, DA 15-868, July 29, 2015.



According to the Indiana Broadband Map, TransWorld does not provide broadband speeds that meet the Commissions minimum standards anywhere within the Yeoman exchange, much less throughout 100 percent of the company's study area.

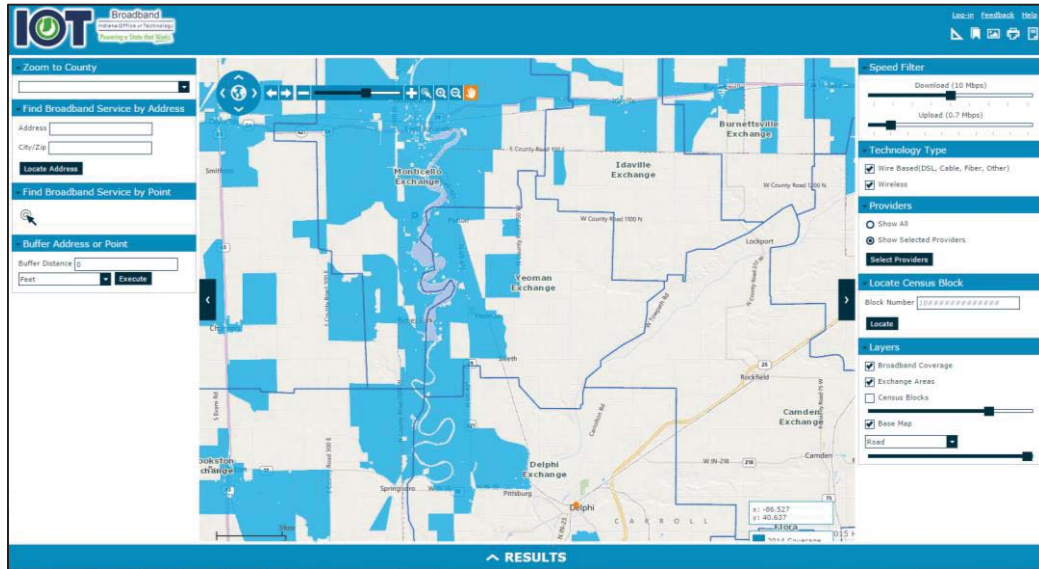
Comcast does provide service in the Yeoman study area meeting the Commissions standards, but does not cover the entire study area. The screenshot below indicates the coverage for Comcast (covered areas appear blue) under the following system filters:

- 10 Mbps download
- .7 Mbps upload (1 Mbps was not a filter option)
- Yeoman Exchange Area



According to the Indiana Broadband Map, Comcast does not provide qualifying broadband service throughout Yeoman's study area.

When the coverage areas are combined, it is clear Comcast and TransWorld together do not serve the entirety of the Yeoman study area with qualifying voice and broadband service.



As such, the Commission should confirm the Bureau's preliminary determination that Yeoman's study area is not 100 percent overlapped by unsubsidized competitors. Yeoman should continue to access high-cost support to provide much-needed universal service to their rural service territory.

If you require further information, please contact me at [dusty.johnson@vantagepnt.com](mailto:dusty.johnson@vantagepnt.com) or 605-995-1746.

Respectfully submitted,

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